

THE CONSTRUCTION OR CONTROL OF INTEROCEANIC
CANALS AT THE ISTHMUS OF DARIEN AND IN CENTRAL
AMERICA BY EUROPEAN GOVERNMENTS.

MARCH 2, 1889.—Referred to the House Calendar and ordered to be printed.

MR. MCCREARY, from the Committee on Foreign Affairs, made the following

REPORT:

[To accompany S. Res. 122.]

The Committee on Foreign Affairs, to whom was referred joint resolution (S. R. 122) "declaring the sense of the Government of the United States in respect of the connection of European Governments with interoceanic canals at the Isthmus of Darien and in Central America," make the following favorable report:

The joint resolution is as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Government of the United States will look with serious concern and disapproval upon any connection of any European Government with the construction or control of any ship-canal across the Isthmus of Darien or across Central America, and must regard any such connection or control as injurious to the just rights and interests of the United States and as a menace to their welfare.

SEC. 2. That the President be, and he is hereby, requested to communicate this expression of the views of the Government of the United States to the governments of the countries of Europe.

It comes to the House of Representatives after having been carefully considered and almost unanimously adopted by the Senate of the United States, there being but three votes against it in the Senate.

It re-affirms a public policy that is of both national and international importance; a public policy that has been so intimately interwoven with the treaties and teachings, doctrines, and necessities of the American people that it seems to have originated in the very earliest days of our Republic. As far back as 1782, when Great Britain formally acknowledged the sovereignty and independence of the United States, there were no stronger convictions in the minds of the American people than that additional European colonization on the American continents, or the extension of European political systems to the Western Hemisphere, or of European interposition for the purpose of oppressing or controlling the destinies of American republics, would be impolitic and detrimental to freedom and to the best interests of our country.

The first official expression of these convictions was made by President Monroe, a Democratic President, in his annual message to the Congress of the United States in 1823; and the patriotic principles then announced by this patriotic President have been upheld by a patri-

otic people ever since, regardless of party politics. Mr. Monroe declared in this message—

That the American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European powers.

We owe it to candor and to the amicable relations existing between the United States and the European powers to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety.

With existing colonies or dependencies of any European power we have not interfered, and shall not interfere; but with the governments who have declared their independence and maintained it, and whose independence we have on great consideration and on just principles acknowledged, we could not view any interposition for the purpose of oppressing them or controlling in any manner their destiny by any European power in any other light than as the manifestation of an unfriendly disposition toward the United States.

The joint resolution under consideration is in accordance with the declarations made by Mr. Monroe, applied to existing conditions and the development of events. The Government of the United States was, at the time of Mr. Monroe's message, in its infancy. Our population did not exceed 10,000,000 of people, and the Territories of Louisiana and Florida, which we had acquired from France and Spain, comprised the only accessions that had been made to our public domain. The Congress of Verona had been held, and the arrangement between Russia, Prussia, Austria, and France, called the "Holy Alliance," which was understood to be hostile to national freedom and popular rights, had been formed, and Spain had attempted to subjugate certain South American republics whose independence the United States had recognized, and Great Britain and Russia were claiming a large part of the North-western territory of North America.

The announcement of the bold and wise and patriotic doctrine which has gone into history as "the Monroe doctrine" made President Monroe conspicuous among the distinguished men of his day, and embalmed his memory in the hearts of liberty-loving people everywhere. Its results have been grand and far-reaching. It secured and has helped to preserve the independence of the Central and South American Republics. It was successfully invoked when Cuba was in peril; it enabled the United States to thwart the attempt of Great Britain to exercise dominion in Nicaragua under the pretense of benefiting the Mosquito Indians; it prevented the establishment of a European dynasty in Mexico with Maximilian as emperor; and it has enabled our Government to gradually eliminate from the Western Hemisphere the domination of France and Spain and Russia, whose possessions at one time almost surrounded our Republic; and with the power of destiny and the genius and energy and pluck of the American people, Great Britain may soon be amicably eradicated from her Canadian possessions, and the three Americas become a constellation of republics filled with happy, prosperous, free, and independent people.

The Monroe doctrine contains no limitations, and was not confined to conditions existing at the time it was announced. It was applicable in 1823, and it has been applicable ever since, and it is applicable now. The United States stands solemnly committed by repeated acts and by repeated declarations to this doctrine. It has been indorsed and upheld by almost every President since 1823, and by many of our ablest statesmen, and it has in various ways received the sanction of Congress. I present only a few extracts from messages of Presidents and speeches of statesmen, many of whom use even stronger language than that used in the joint resolution under consideration;

When Mr. Canning was the minister of foreign affairs of Great Britain, and Mr. Rush was United States minister to Great Britain, and the question of European interference with the Spanish-American colonies was being considered, Mr. Monroe consulted Mr. Jefferson in regard to the proper course to take. Jefferson's reply to the President, dated October 21, 1823, was as follows:

The question presented by the letters you have sent me is the most momentous which has ever been offered to my contemplation since that of Independence. That made us a nation. This sets our compass and points the course which we are to steer through the ocean of time opening on us. And never could we embark on it under circumstances more auspicious. Our first and fundamental maxim should be never to entangle ourselves in the broils of Europe; our second never to suffer Europe to intermeddle with the cisatlantic affairs. America, North and South, has a set of interests distinct of those of Europe and peculiarly her own. She should, therefore, have a system of her own separate and apart from that of Europe. While the last is laboring to become the domicile of despotism, our endeavor should naturally be to make our hemisphere that of freedom.

On the 15th of March, 1826, President Adams submitted a message to the Congress of the United States, in which he said, in speaking of the independent nations of Mexico and Central and South America:

To attempt the establishment of a colony in these possessions should be to assert, to the exclusion of all others, a commercial intercourse which was the common possession of all. It could not be done without encroachment upon existing rights of the United States.

In his annual message of December 2, 1845, President Polk reiterated the Monroe doctrine. After expressing his cordial concurrence in its wisdom and sound policy, he declared that it should be distinctly announced to the world as our settled policy that no other European colony or dominion shall, with our consent, be planted or established on any part of the North American continent.

President Hayes, in his message of March 8, 1880, in speaking of the construction of an interoceanic canal, said:

The policy of this country is a canal under American control. The United States can not consent to the surrender of this control to any European power or to any combination of European powers.

President Garfield, in his inaugural address in 1881, said:

We shall urge no narrow policy nor seek peculiar or exclusive privileges in any commercial route, but, in the language of my predecessor, I believe it to be the right and duty of the United States to assert and maintain such supervision and authority over any interoceanic canal across the isthmus that connects North and South America as will protect our national interests.

Our present able, patriotic, and sagacious President, Grover Cleveland, said in his inaugural address:

The genius of our institutions, the needs of our people in their home life, and the attention which is demanded for the settlement and development of the resources of our vast territory dictate the scrupulous avoidance of any departure from that foreign policy commended by the policy of independence, favored by our position and defended by our known love of justice and by our power. It is the policy of peace suitable to our interests. It is the policy of neutrality, rejecting any share in foreign broils and ambitions upon other continents, and *repelling their intrusion here*. It is the policy of Monroe and of Washington and Jefferson, "Peace, commerce, and honest friendship with all nations; entangling alliance with none."

He also said in his first message to Congress:

Whatever highway may be constructed across the barrier dividing the two greatest maritime areas of the world must be for the world's benefit, a trust for mankind, to be removed from the chance of domination by any single power, nor become a point of invitation for hostilities or a prize for warlike ambition. The lapse of years has abundantly confirmed the wisdom and foresight of those earlier administrations which,

long before the conditions of maritime intercourse were changed and enlarged by the progress of the age, proclaimed the vital need of interoceanic transit across the American Isthmus and consecrated it in advance to the common use of mankind by their positive declarations and the formal obligation of treaties.

President Madison, President Buchanan, and President Grant were equally emphatic in their declarations. The declaration of President Buchanan was so terse and appropriate that I will present it. He said:

The independence, as well as the interests of the nations on the continent, require that they should maintain an American system of policy entirely distinct from that which prevails in Europe. To suffer any interference on the part of the European Governments with the *domestic concerns of the American Republics*, and to permit them to establish new colonies upon this continent would be to jeopard their independence and ruin their interests.

Can any one doubt, after reading these extracts, that something more was intended by these Presidents than opposition to European colonization and the extension of European political systems to the American continents? They clearly meant, as was so forcibly expressed by President Cleveland, that—

Whatever highway may be constructed across the barrier dividing the two greatest maritime areas of the world must be for the world's benefit, a trust for mankind, to be removed from the chance of domination by any single power, nor become a point of invitation for hostilities or a prize for warlike ambition.

Many of our ablest and most distinguished statesmen have indorsed and defended the Monroe doctrine. Conspicuous among them is the great and gifted, tried and true patriot and statesman, Henry Clay, who, on the 25th of March, 1825, while Secretary of State, instructed Mr. Poinsett, the minister of the United States to Mexico, to urge upon the Government of that country the utility and expediency of asserting the principles laid down in President Monroe's message of 1823, and declared:

There is no disposition to disturb the colonial possessions as they may now exist of any of the European powers, but it is against the establishment of new European colonies upon this continent that the principle is directed.

Stephen A. Douglas asserted that the principles of the Monroe doctrine should be extended everywhere on the North American continent; and Mr. Cass, in 1853, in a memorable speech in the United States Senate, on the question of interoceanic communication, said:

All we want is a fair and equal field for exertion, and if we have not industry and enterprise enough to hold our own way in the great career of advancement we deserve to fall behind our rivals and cotemporaries, and ought to find no one "to do us reverence." But I have no fear of this, nor indeed has any one else. It should therefore be a cardinal maxim of our policy to preserve, as far as we can, the integrity of the cisatlantic Republics, for it is almost as much for their interest as it is for ours that these great lines of communication should be opened to all the world and free to the competition of every nation.

No statesman of his day was more eloquent and able in advocacy of the Monroe doctrine than Daniel Webster. He said:

I look on the message of December, 1823, as forming a bright page in our history. I will neither help to erase nor attempt to tear it out, nor shall it be by any act of mine blurred or blotted. It did honor to the sagacity of the Government, and I will not diminish that honor. It elevated the hopes and gratified the patriotism of the people. Over those hopes I will not bring a mildew, nor will I put that gratified patriotism to shame.

The joint resolutions now pending are not the first nor the strongest that have been introduced in the Congress of the United States in support of the Monroe doctrine. As early as the 20th of January, 1824, Henry Clay, then Speaker of the House of Representatives, moved the

following resolution in the Committee of the Whole on the state of the Union:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the people of these States would not see without serious inquietude any forcible intervention by the allied powers of Europe in behalf of Spain to reduce to their former subjection those parts of the continent of America which have proclaimed and established for themselves, respectively, independent governments, and which have been solemnly recognized by the United States.

Soon after the Interoceanic Canal Congress was held, under the direction of Ferdinand de Lesseps at Paris, France, May 15, 1879, Senator Burnside introduced the following preamble and resolution in the Senate of the United States:

Whereas the people of this Union have for upward of fifty years adhered to the doctrine asserted by President Monroe, "as a principle in which the rights and interests of the United States are involved, that the American continents, by the free and independent condition which they have assumed and maintained, are henceforth not to be considered as subjects for future 'occupation' by any European power": Therefore,

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the people of these States would not view, without serious inquietude, any attempt by the powers of Europe to establish, under their protection and domination, a ship-canal across the Isthmus of Darien, and such action on the part of any European power could not be regarded "in any other light than as the manifestation of an unfriendly disposition toward the United States."

Several other resolutions were afterward introduced in the National House of Representatives re-asserting the Monroe doctrine as a cardinal principle in our national polity. Of these the most conspicuous and important, introduced by Mr. Crapo, of Massachusetts, in December, 1880, was as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the construction of an interoceanic canal connecting the waters of the Atlantic and Pacific by means of foreign capital, under the auspices of and through a charter from any European government, is hostile to the established policy of the United States, is in violation of the spirit and declarations of the Monroe doctrine, and can not be sanctioned or assented to by this Government. That the United States will assert and maintain such control and supervision over any interoceanic canal as may be necessary to protect its national interests, as a means of defense, unity, and safety, and to advance the prosperity and augment the commerce of the Atlantic and Pacific States of the Union.

In 1881 the Committee on Foreign Affairs reported favorably to the House of Representatives a series of resolutions, the second and third of which are as follows:

SEC. 2. That the construction of any public work connecting the waters of the Atlantic and Pacific by any European Government or power, whether the same be constructed at Panama or elsewhere, would be in violation of the spirit and letter of the Monroe doctrine, and could not be sanctioned by the Government of the United States.

SEC. 3. That should a canal be constructed across the Isthmus of Panama, or elsewhere, this Government will insist that it shall not be under the control of any European Government or power; that it shall be free to the commerce of the world upon equal terms, and that no discrimination shall ever be made against the United States in peace or war.

In the same year Mr. Morgan, the distinguished Senator from Alabama, introduced in the Senate of the United States the following resolution:

Resolved, That the interests of the people of the United States of America and the welfare and security of their Government are so involved in the subject of the construction of ship-canals and other ways for the transportation of sea-going vessels across the isthmus connecting North and South America that the Government of the United States, with the frankness which is due to all other peoples and governments, hereby

asserts that it will insist that its consent is a necessary condition precedent to the execution of any such project; and also as to the rules and regulations under which other nations shall participate in the use of such canals or other ways, either in peace or war.

The first legislative indorsement of the Monroe doctrine occurred on April 4, 1864, about the time of the landing of Maximilian at Vera Cruz, when the following joint resolution, relative to Mexican affairs, was passed by the National House of Representatives without a dissenting voice:

The Congress of the United States are unwilling by silence to have the nations of the world under the impression that they are indifferent spectators of the deplorable events now transpiring in the Republic of Mexico, and that they therefore think fit to declare that it does not accord with the policy of the United States to acknowledge any monarchical government erected on the ruins of any republican government in America under the auspices of any European power.

The only time when our Government ever wavered or hesitated about enforcing the Monroe Doctrine was in October, 1863, when a terrible civil war was raging in the United States. In that year Mr. Motley was United States minister to Austria, and asked instructions authorizing him to demand an explanation of the Austrian Government as to the movement to place Maximilian on the throne as Emperor of Mexico.

Mr. Seward, then Secretary of State of the United States, wrote him as follows:

France has invaded Mexico and war exists between the two countries. The United States hold, in regard to those two States and their conflict, the same principles that they hold in relation to all other nations and their mutual wars. They have neither a right or any disposition to intervene by force in the internal affairs of Mexico, whether to establish or maintain a republican or even a domestic government there, or to overthrow an imperial or foreign one, if Mexico should choose to establish or accept it.

This unprecedented policy did not last long. On September 16, 1865, Mr. Seward wrote to Mr. Dayton, United States minister to France, as follows:

It has been the President's purpose that France should be respectfully informed upon two points, namely:

First. The United States earnestly desires to continue to cultivate sincere friendship with France.

Second. This policy would be brought into imminent jeopardy unless France could deem it consistent with her interests and honor to desist from the prosecution of armed intervention in Mexico to overthrow the domestic republican government existing there, and to establish upon its ruins the foreign monarchy which has been attempted to be inaugurated in the capital of that country.

This emphatic language and the presence of General Sheridan near the Mexican frontier with fifty thousand soldiers, placed in the field by order of Congress for the national defense, caused an official announcement to be made on the 5th of April, 1866, that the French troops should evacuate Mexico.

A further interpretation of the Monroe doctrine is found in Wheaton on International Law, page 124. He says:

The policy of the American Government in regard to Europe, adopted at an early stage of the war, which had so long agitated that quarter of the globe, remained the same. This policy was, not to interfere in the national concerns of any of the European powers; to consider the government *de facto* as the legitimate government for them; to cultivate friendly relations with it, and to preserve these relations by a frank, firm, and manly policy, meeting in all instances the just claims of every power, submitting to injuries from none. But with regard to the American continents cir-

circumstances are widely different. It was impossible that the allied powers should extend their political system to any portion of these continents without endangering the peace and happiness of the United States. It was therefore impossible that the latter should behold such interference in any form with indifference.

The joint resolution is easily understood. It simply declares that the Government of the United States will look with serious concern and disapproval upon any connection of any European Government with the construction or control of either the Panama Canal or the Nicaragua Canal, and will regard such connection or control as injurious to the rights and interests of the United States, and as a menace to their welfare. Can any one deny the truth of these propositions? Then why should not the joint resolution be adopted? The construction or control of the Panama Canal or the Nicaragua Canal by any European Government will cause the violation of the Monroe doctrine and be followed perhaps by serious and hostile disturbances.

History shows that wherever governments put their money they soon follow with their power, and that the aim of the great nations of Europe has been to take possession of the salient points and narrow straits of the world for the control of commerce and for aid in time of war.

The Suez Canal was constructed with French and Egyptian money; but soon after its completion Great Britain saw its importance, and, with over \$20,000,000, purchased a controlling interest in it, and now Great Britain not only controls the Suez Canal, but maintains practically a protectorate over Egypt. The domination of England's Queen over two hundred millions of people in India is traceable to the formation of a gigantic commercial company in India, which, supported by the Government, grew in wealth and strength until it overthrew kingdoms and provinces, and the effete and enfeebled races of India soon became an easy prey to the rapacity of a nation which, like the octopus, strengthens and widens its grasp on everything it seizes. The occupation of Barema Point by Great Britain and her effort to dominate the Orinoco in Venezuela, and the appropriation by France of New Caledonia and her invasion of Mexico during our civil war, and the efforts of Russia to control the Dardanelles and the Black Sea, exemplify the desire for territorial acquisition and commercial domination so common among nations.

In the light of these examples, can we doubt what would be the result if England or France, or either of the great powers of Europe, should construct or, by indorsing bonds, control such an important transit as a ship-canal across the Isthmus of Darien, or a ship-canal across Central America? If any European Government should construct or assist in the construction of a great public improvement in another country, the assertion of that power by the Government can be followed by the right of defending that improvement. Colombia and Nicaragua are both weak Republics, and they would soon be forced to yield, either by treaty arrangements or concessions, to the governmental authority promoting the enterprise. A conflict of interests with either would certainly occur, and the weak power would succumb to the greater power, and the ultimate result would be European domination in Panama or Nicaragua, and perhaps an extension of the domination to other republics. If this is allowed, we abandon the principles to which we have clung for nearly seventy years, and we surrender the sacred principles which our fathers and our forefathers maintained so successfully and so patriotically.

We appreciate the friendship which has always existed between

France and the United States; and we remember too with pride that France is a Republic; but France may soon be an Empire; and after the canal is built a controlling interest may be purchased by Great Britain, or by some other European power, as was done after the completion of the Suez Canal. We should not permit governmental control of ship-canal in Central or in South America by European nations any more than we should permit more European colonization in the Western Hemisphere. The one leads to the other. The declaration of President Monroe in 1823 was notice to the world of an American policy. It was announced at a much more critical time than the present, and its results were splendid and far-reaching. We should not hesitate in the most solemn and emphatic manner to re-affirm his grand declarations "in a manner applicable to existing conditions and in accordance with the development of events.

De Lesseps has failed in his Panama Canal scheme, work has stopped, and the Government of France has been asked to construct or control in some way the construction of the canal. The latest news shows that the Colombian Government fears a disturbance among the fourteen thousand laborers heretofore engaged on the canal work, and the President of the United States transmitted to Congress recently the request of the Colombian Government that means be provided to transport home discharged laborers from the Panama Canal, and Congress promptly appropriated \$250,000 to protect American interests and to provide for the security of persons and property of citizens of the United States at the Isthmus of Panama. The Government of France evidently hesitates, and if we are opposed to one of the great powers of Europe planting its flag and its commerce and its money and dominion on American soil, to be followed, perhaps, by a sale to or a partnership with Great Britain or some other European nation, we should embrace this opportune and important time to announce an American policy.

The United States in defending her interests should not forget how other nations defend theirs. In Europe the Black Sea is surrounded by Russian, Turkish, and Austrian territory, yet these countries in their own interest closed that sea for many years against United States men-of-war. If our vessels wish to enter the Black Sea, although it is one of the high seas of the world, permission must be obtained, and our ships usually have to wait forty-eight hours before they can pass the Dardanelles. Great Britain by her fortifications excludes at will all other powers from the waters of the Red Sea, and thus virtually controls the Suez Canal. The construction of this canal revolutionized lines of international traffic, gave to the Mediterranean countries a share of the commerce of the world, and reduced the distance between Western Europe and India from 11,379 miles to 7,628 miles, equal to a saving of thirty days in the voyage. But this canal does not equal in importance, or in its far-reaching results, the Panama Canal or the Nicaragua Canal.

The opening of these interoceanic canals will benefit the commerce of the world and materially change the defense of our Pacific-coast possessions. It has been shown that ships from Europe bound for Australia, Borneo, Japan, and other countries of the Pacific would thus be enabled to save from 2,000 to 5,000 miles. Vessels sailing from any of the Atlantic ports of the United States or Canada to California, or to the South Pacific Islands, would save from 8,000 to 11,000 miles of sailing distance, as compared with the present route around Cape Horn. The opening of the Nicaragua Canal would add thousands of

miles to our coasting trade, enabling our vessels to run from Maine to Alaska, and it would save in distance between New York and San Francisco in round numbers 10,000 miles. Between New Orleans and San Francisco it would save 11,000 miles, and between Liverpool and San Francisco 7,000 miles, and give to the United States the most advantageous naval station in Lake Nicaragua on the Western Hemisphere, from which, in time of war, our ships could operate with equal facility in both the Atlantic and Pacific Oceans and in the Gulf of Mexico.

How, then, can we fail to regard the construction or control of either of these canals by any European Government otherwise than as injurious to the rights and interests of the United States and as a menace to their welfare? And why should not our Government as well as other governments of the American continent protect themselves when either of these great canals is constructed, the same as European nations protect themselves in the navigation of the Black Sea or the Suez Canal?

The work on the Panama Canal has so far been prosecuted by private enterprise and by the wealth of citizens of Europe and the United States. This we heartily indorse. We would be glad to see both canals constructed by individual means or by private corporations, or by any agency whatever that does not involve governmental control. Let Frenchmen, Englishmen, Germans, and people and corporations of every country come and construct these great interoceanic canals; but it should not be done by any *European government*.

One of the most important subjects to be considered in declaring the sense of the Government of the United States in respect of the connection of European Governments with interoceanic canals at the Isthmus of Darien and in Central America is our treaty obligations with the Republics through which these canals are to be constructed.

A part of the subject-matter of the joint resolution now under consideration was the subject of the treaty of New Granada (now the United States of Colombia) with the United States, signed on the 12th of December, 1846, and ratified in 1848. Article 35 of the treaty provides that—

The Government of New Granada guaranties to the Government of the United States that the right of way or transit across the Isthmus of Panama upon any modes of communication that now exist, or that may be hereafter constructed, shall be open and free to the Government and citizens of the United States; and * * * the United States guaranty positively and efficaciously to New Granada the perfect neutrality of the before-mentioned Isthmus with the view that the free transit from one to the other sea may not be interrupted or embarrassed at any future time while such treaty may exist; and in consequence the United States also guaranty in the same manner the right of sovereignty and property which New Granada has and possesses over the said territory.

This treaty is still in force, and should the canal be constructed across the Isthmus of Panama, it will be under the protection and guaranty of the United States, and both its projectors and the Government of New Granada, now Colombia, would be authorized under certain contingencies to call on the Government of the United States for the fulfillment of their obligations. Not only this, but our Government has guarantied the neutrality of the Isthmus of Panama, and also guarantied the sovereignty and property which New Granada possesses over that territory; and we are liable to be called on any day to restore order or resist invasion on the isthmus.

Since the present administration has been in power we have complied with our treaty obligations by landing marines on that isthmus to quell a serious disturbance which threatened life and property there.

A treaty between the United States and Nicaragua was made in 1867. It is recognized at the State Department, and is still in force, and is similar in its terms to the treaty with New Granada. It gives us the same power and holds us to the same obligations. By the terms of this treaty the United States was granted the most liberal rights of transit between the Atlantic and Pacific Oceans through the Republic of Nicaragua. And while the United States guaranteed the neutrality and innocent use of the same, it was agreed that the Government of the United States might employ military forces for the protection of persons and property, if the Government of Nicaragua failed so to do, and such employment was necessary.

In view of our treaty obligations, and the far-reaching and binding guaranties made by the United States with the Republics through which the proposed interoceanic canals are to be constructed, involving the rights of our Government and the aid of our soldiers, who can help believing that it is of paramount importance to the people of the United States that any attempt on the part of European Governments to engage in the construction or control of these canals should be watched with the greatest vigilance and looked upon with serious concern and disapproval.

There are persons who assert that the Clayton-Bulwer treaty is an obstacle in the way of the adoption of the joint resolution. This can not be proven. A careful examination of the treaty will show that the very first article of this treaty is drawn for the purpose of prohibiting governmental control of any ship-canal which may be constructed across the Republic of Nicaragua to connect the Atlantic and Pacific Oceans.

The treaty between the United States and Great Britain, known as the Clayton-Bulwer treaty, was negotiated in 1850. It had hardly gone into operation before its fundamental provisions were violated by Great Britain. It is a historical fact that on the 21st of November, 1850, the American steamer *Prometheus* was fired upon while going out of the port of San Juan de Nicaragua by the English brig-of-war *Express*, then lying in the port, to enforce a British claim of dominion over that part of Nicaragua. Another infringement soon followed. In less than two years after the treaty was ratified Great Britain deliberately established, on the 17th of July, 1852, a new colony in Central America, off the coast of Honduras, under the name of the Colony of Bay Islands, on account of which Mr. Cass, in January, 1855, declared the treaty to have been nullified by Great Britain.

Great Britain still exercises dominion over British Honduras and Bay Islands, and Mr. Frelinghuysen, Secretary of State, said as late as May 8, 1882, in a communication to Mr. Lowell, our minister to Great Britain :

If Great Britain has violated, and continues to violate, the treaty of 1850 (Clayton-Bulwer treaty), it is voidable at the pleasure of the United States.

And Senator Wilson, afterwards Vice-President of the United States, said in the United States Senate :

The only way in my judgment to get out of our present embarrassment is to declare the Clayton-Bulwer treaty null and void.

The fact is the Clayton-Bulwer treaty, which a distinguished statesman, formerly Speaker of the House of Representatives, said was "misunderstandingly entered into, imperfectly comprehended, contradictorily interpreted, and mutually vexatious," is now but little more than a specter or phantom which some men conjure up on occasions suitable to themselves to excite alarm. It was originally made for two important purposes—to facilitate the construction of a ship-canal, and to re-

move a protectorate which Great Britain had established on the Mosquito coast.

The lapse of forty years has greatly changed the circumstances under which the treaty was negotiated ; but it is evident to all that the treaty was a failure on both points referred to.

The Nicaragua Canal has not been built, and Great Britain has not withdrawn her protectorate from the Mosquito Indians. This is enough to destroy whatever life the treaty had. When it is remembered that the treaty which Nicaragua made with the United States was made seventeen years after the Clayton-Bulwer treaty, and is inconsistent with it and directly contravenes its most important provisions, and that no protest has ever been made by Great Britain, it looks as if she thought the treaty had no life. Even if the treaty has any life, it has been well settled by the Supreme Court of the United States that a treaty is subject to such acts as Congress may pass for its enforcement, modification, or repeal. (See 11th Wallace, 616, Cherokee Tobacco case; also 112 U. S. Reports, p. 599.)

The time has come for our Government to define its position and take a stand in behalf of our sister Republics of the Western Hemisphere. The day of the isolation of the three Americas has passed and the day of fraternity and friendship, improved commerce, and enlarged national freedom has come. *We should announce a firm and friendly, a dignified and bold American policy and support it earnestly.*

The joint resolution is in the right direction. It is the Monroe doctrine applied to existing conditions and to the development of events. There was legislative indorsement of this doctrine once, which stands out in history like a legislative promontory, and will never be forgotten. It thrilled the hearts of liberty-loving people all over the world, and received the unanimous votes of all the representatives of the American Congress. Why should we not do so again ? Why declare so often and so earnestly in favor of the Monroe doctrine unless we mean it ? And if we mean it, why not put it in the strongest form and give it the highest legislative sanction possible ? The Monroe doctrine was not the sudden creation of individual thought, but the result rather of careful consideration and experience in solving the problems of self-government and observation of our continental surroundings. It required forty-seven years from the Declaration of Independence to reach the time of its official announcement. The changed condition and new events of sixty-six additional years make further and stronger demands.

A concurrent resolution is the voice of the Senate and the House of Representatives ; a joint resolution, when it is passed, is the voice of the President, the Senate, and the House of Representatives ; and we should give the highest sanction to the questions under consideration by adopting a joint resolution. The rules of the House of Representatives say that a joint resolution is usually resorted to when the sense of Congress is expressed.

The relations of the United States with the republics south of us are of cardinal importance in the consideration of the resolution. Each year brings them in closer communications and closer ties with us. The engineer, with his theodolite and level, has marked the way and laid down the rails which bind our Republic with bands of steel to the Republic of Mexico. Still onward toward Nicaragua and Panama the iron arteries are being extended, while the Argentine Republic and the Republics of Chili and Peru are coming north to meet us with their railroads, the longest being over 500 miles in length. And the day is not far distant when the three Americas will be connected by railroads

and bound together in common hopes and common ties. Whether there shall be one railroad or two railroads, one canal or two canals, all will be instrumental in securing to the American republics additional wealth and additional greatness. All will aid in strengthening the friendship and riveting the ties which should connect the great nations of the Western Hemisphere.

The Government of the United States has recognized the republics south of us as independent republics; has entered into treaties with them; has been represented at their respective capitals by ministers resident, and they have been represented at Washington in the same way. Soon in our great capital a great conference is to be held by all the American nations for the purpose of discussing questions and recommending for adoption to the respective Governments measures affecting the welfare of the people and the improvement of their commercial and social relations. There can be no doubt of our friendship and respect for these people who are our neighbors and our kindred, and whose interests and our interests are identical.

No greater love can a republic show to her sister republics than that which makes common cause with them in all that ennobles humanity, enlarges liberty, and promotes republics. And that is exactly what we will show by adopting the joint resolution. Its adoption will help to preserve the autonomy and advance the best interests of our sister republics south of us. The needs of our people, the dignity of our Government, and the maintenance of our supremacy on the Western Hemisphere demand it. And, finally, it is in the direction of that destiny which, when fulfilled, will make the Western Hemisphere a constellation of republics, differing from one another only in glory.

We recommend the adoption of the joint resolution.

VIEWS OF THE MINORITY.

CONNECTION OF EUROPEAN GOVERNMENTS WITH INTER-OCEANIC CANALS AT ISTHMUS OF DARIEN AND IN CENTRAL AMERICA.

In the opinion of the undersigned, members of the House Committee on Foreign Affairs, it is difficult to overestimate the importance of the resolution passed by the Senate and reported favorably to the House by a majority of said committee. If the subject of the resolution related only to our own domestic affairs, any possible evil produced by it might and no doubt would be redressed by the good sense of our people. But such is not the case. Its bearing is outward, not inward; foreign, and not domestic. It is aimed at all nations of the world, and not for the time being, but forever. Once announced, it must be maintained at whatever cost and sacrifice of blood and treasure. In view of this fact, which no one will deny, it is the duty of every member of this House to consider well before committing the lives and fortunes of his constituents and countrymen to the support of the position our Government must occupy if this resolution be adopted.

Has this resolution received due consideration? What is its history? It was offered in the Senate on the 19th of December last and referred to the Committee on Foreign Relations. That was two days before the recess which ended on the 2d day of this month. It was reported back to the Senate, and on the 5th day of this month was taken up and considered. Seven pages of the Record contain all that was said, and five of these pages are filled with objections to the form of the resolution, to immediate action, and with questions and answers not relating to their substance. On the 7th, two days later, the Senate in executive session resumed consideration, which was to vote down two amendments in a *viva voce* vote, and to pass the resolutions. We narrate these facts not in criticism, but as history to prove our assertion that these resolutions have not been considered in a way and to a degree demanded by their importance.

The form of the resolutions is signal proof of our assertion. They come as joint resolutions, whereas the first is joint and the second is concurrent. The first is to have the force of a law, which makes it necessarily joint, while the second is only a request to the President to communicate the first resolution to all European governments. A resolution by Congress which it is not necessary for the President to approve is not, can not be a joint resolution. It is absurd to say the President must sign a request to himself to do an act. This illustrates the haste with which these resolutions have been thrown at us.

The first resolution is objectionable for another reason. It seeks to enact a question of foreign policy into a general law. It proposes, by a municipal law, to regulate our foreign relations. A general law is binding on all alike. A law prescribes something to be done or forbids the doing of something. This resolution does neither. It is but a declaration. It is the formulation of a patriotic sentiment. It is only an expression of a feeling. It only declares that we would regard a certain act or state of facts "as injurious to the just rights and interests of the United States and as a menace to our welfare," and that we would "look with serious concern and disapproval upon" such a state of facts. What sort of law would that be? A law directs or forbids. If this law would direct any one to act, that person would be the President of the United States. And should the state of facts constituting the postulate of the resolution occur, and the President should take up the law for his direction, what could he do, or what would he be justified in doing?

Let us contemplate the situation on the occurrence of the facts named in the law. The President carefully examines it for directions. He finds none, of course, for there are none. He calls into his counsel his constitutional adviser—the Attorney-General. The Attorney-General examines the law. We must assume that he is a sound jurist and knows the law. He tells the President the law is declaratory and not directory. It simply declares that on the occurrence of a certain state of facts enumerated in the law the United States would "look upon them with serious concern and disapproval," and would "regard them as injurious to their just rights and interests and as a menace to their welfare."

The President would ask, very naturally, what the law required him to do. The Attorney-General, if he did his duty, would advise the President that, for the time being, he must consider himself as the United States, and that he must and can only do what the law declares the United States would do, to wit: That he must "look upon the said action of the said European Government with serious concern and disapproval," and that he must, to the best of his ability and with a reasonable degree of emotion, "regard said action as injurious to the just rights and interests of, and as a menace to, the United States."

But suppose the President should ask his constitutional adviser whether, under this law, he could not proceed with the Navy and, after reading the law as a sort of riot act, and a disregard of it by the offenders, attack them by force of arms. The Attorney-General would unquestionably tell him he could not; that that would be war; that Congress alone can declare war; that he has no more right to declare war than a drum-major; that this law is not a declaration of war, nor authority to him to do any hostile act, and that it (the law) is only an expression of a patriotic feeling.

If we decide to move out against all the nations of the earth in this demonstrative, not to say hostile, style, let us at least not appear to have been in such dismay, or bad temper, that we could not delay to dress ourselves in our own parliamentary form.

But the form of the first resolution is open to a much graver objection. If passed and approved, it becomes a law, so far as that is law which requires further legislation before it can be executed. It would be *pro tanto* law, but no lawyer will assert that the Executive could carry it into effect. He might perform acts in regard to the Panama Canal that Congress and the people would approve, but his acts could not be directed by this law. The law neither directs nor forbids anything to be

done by the Executive, yet, so far as the declaration in the resolution can be enacted into law, it would present the anomaly of having a binding force on this House of Congress, while it could not bind the Executive and the Senate.

As already said, the resolution relates exclusively to foreign powers. It attempts to fix the status of the United States in and as to their relations to foreign governments. It attempts to usurp a power confided by the Constitution to the Executive and the Senate. True, it does not say in terms, that no agreement by treaty or otherwise shall ever be made with any foreign power by this Government touching any trans-continental canal, but it means that, or it is waste paper—mere bravado. It is a declaration to the Executive and the Senate that the Executive shall not make any terms for a treaty, and the Senate shall not agree to any terms made by the Executive, that will in any respect contravene the letter or spirit of this resolution or law.

If France were to propose to the President to submit to terms entirely satisfactory to him and the Senate, provided she should be permitted to finish the Panama canal, there is no restraining power in this law to prevent the President and the Senate from making with her a treaty. Wisely, or unwisely, the Constitution has placed the question which this resolution seeks to control, beyond the power or will of this House. This is a question of foreign relations. It is a subject for treaty. The treaty-making power is in the President, aided by the Senate. The House may pass this resolution, the President may sign it, it may thus become law—so far as such a resolution can be made a law—yet the President has the rightful power to institute negotiations, the next day, looking to a treaty that would override this so-called law: As well might Congress pass and the President sign a resolution declaring that the United States Government regards as injurious and as a menace to the welfare of the United States the use of intoxicants, or the existence of the White Caps in Ohio.

We think that if any expression should be made now on the subject-matter of the pending resolution, it should be by the House alone, which represents the people, or by a concurrent and not a joint resolution. It is not politic or wise to ask the Executive to unite with Congress in making an empty law, and to commit him to a line which, in the exercise of his constitutional authority, he may conclude that the welfare of our country constrains him to abandon. In this remark we are not in the remotest degree suggesting an abandonment of what we understand to be the Monroe doctrine. Down to this point we have not been considering that subject. We have discussed only the form and effect of the resolutions. We will now present our views on their substance.

It has been said by men high in authority, and who are supposed to know the history of their own Government, that the policy embodied in the first resolution was adopted by the United States over sixty years ago, and has in various ways received the approval of Congress. It is by such unfounded statements as this that the Senate and House and the people are misled.

In dealing with this momentous subject we must be fair and just. It involves the welfare and happiness of every citizen of this country. It is essentially the people's affair. It reaches to the foundation of our Republic; it rises above all political parties. The question made by this resolution is not domestic, not municipal—it is international, and, therefore, is one that all maritime nations will have, or claim, the right

to be heard on before it is settled. Let it be borne in mind that we alone can not decide this question.

The resolution pretends to affirm what is commonly called the Monroe doctrine. Postponing for the moment the question of what that doctrine is, we beg to vindicate history by saying and by showing that neither Congress nor the United States have or has ever adopted or sanctioned the Monroe doctrine. More than this, neither house of Congress, before this session, has ever sanctioned it. No law has ever been enacted by Congress, and no resolution has ever been passed by the House embodying the Monroe doctrine, so far as we, after diligent search, have ascertained. We will now give a brief view of European history that evoked the doctrine.

It was enunciated by President Monroe on the 2d day of December, 1823. It was the offspring of European policy. It was a warning to kings and emperors. Democratic France had gone down under the imperial Napoleon, and he, in turn, had fallen before the combined power of monarchical Europe, and instead of viewing his own, he was looking out, a hopeless captive, on the empire of the impassable Atlantic. France under another wave of destiny was again a kingdom. Spain was in the throes of revolution at home; her American dependencies were in revolt, and the United States had acknowledged their independence as separate republics. The Holy Alliance—holy only in name, and only wicked in purpose—had been formed in 1815, soon after the fall of Napoleon.

The allied powers had held several congresses, in which the chief subject considered was the maintenance of the balance of power—a monarchical policy that had been adhered to in Europe for more than a century. They had met at Aix-la-Chapelle in 1818; at Troppan, in Silesia; and had held an adjourned session at Laybach, in Styria, in 1820; and another congress at Verona in 1822. At Laybach, Prussia, Russia, and Austria proposed to interfere and suppress a revolution in Italy. Great Britain refused to join, and Austria alone restored despotism in Naples. In 1821, an insurrection broke out in Spain. In the congress at Verona it was proposed to march into Spain and establish the throne of Ferdinand. Great Britain again refused, but monarchical France, backed by the Holy Alliance, marched her army into Spain and conquered the insurgents.

Spain was then a second or third-class power, Ferdinand, too weak to reconquer his American dependencies, was imploring aid of the allied powers. At Verona, in 1822, they had made the following clause a part of their treaty, and threw it to the front as evidence that their purpose, therein so atrociously announced, was the chief object of the congress:

ART. I. The high contracting parties, well convinced that the system of representative government is as incompatible with the monarchical principle as the maxim of the sovereignty of the people is opposed to the principle of divine right, engage in the most solemn manner to employ all their means, and unite all their efforts, to put an end to the system of representative government wherever it is known to exist in the States of Europe, and to prevent it from being introduced into those States where it is not known.

In August, 1823, Mr. Canning, prime minister of Great Britain, informed Mr. Rush, our minister at St. James, of the intention of the allied powers to hold another congress, to decide on a plan of interference with the "representative governments" of South and Central America. Mr. Canning proposed to Mr. Rush that Great Britain and the United States should unite in a declaration that, "while the two Governments desired no portion of those colonies for themselves, they

would not view with indifference any foreign intervention in their affairs, or their acquisition, by any third party." This offer was not accepted, for reasons we need not stop to mention.

With full knowledge of these and other events in Europe and of the designs of the allied powers, Mr. Monroe gave expression to the American doctrine that bears his name. It was not hastily promulgated. He consulted Mr. Jefferson, Mr. Madison, Mr. Adams, and others. To show that we are not alone in our view of the gravity of the pending resolution, we quote from Mr. Jefferson in reply to Mr. Monroe's letters:

The question presented by the letters you have sent me is the most momentous which has ever been offered to my contemplation since that of Independence.

Now for the history of the doctrine after it was declared. In January, 1824, Mr. Clay offered in the House the following resolution:

Resolved, etc., That the people of these States would not see, without serious inquietude, any forcible intervention by the allied powers of Europe in behalf of Spain to reduce to their former subjection those parts of the continent of America which have proclaimed and established themselves, respectively, independent governments, and which have been solemnly recognized by the United States.

The fate of that resolution is tersely told by Mr. James K. Polk in the memorable debate in the House in 1826 on the Panama mission, in these words:

The Greek resolution was submitted, too, at the same session by the honorable member from Massachusetts. The fever was up. We seemed to be then, if we ever had been, prepared to go on a political crusade in behalf of others. The sober judgment of the House interposed. The Greek resolution shared its fate and sleeps upon the table.

Mr. Clay saw clearly that the same fate inevitably awaited his South American resolution, with only this difference, that it would probably have been negatived by a much more overwhelming majority. It was not called up. He, however, effected one object—he prevented any expression of opinion.

It seems to us that if there ever was a time when Congress, or the House, should have given expression to its approval of the Monroe doctrine, it was in January, 1824, when the very existence of republican or representative government on the western hemisphere was avowedly threatened, not by Spain, not by one power, but by the combined powers of Europe, except Great Britain.

In 1845 President Polk most emphatically re-affirmed the Monroe doctrine, but Congress took no action on it.

In 1848 he sent a special message to Congress on the unhappy condition of Yucatan.

The Indians were trying to exterminate the whites, and the latter offered Yucatan as a gift to the United States, if this Government would protect them. A bill was forthwith introduced in the Senate to authorize the President to take military possession of Yucatan. The Monroe doctrine was again debated, and again without action on it by the Senate.

In 1864 the occupation of Mexico by Maximilian's forces, revived this doctrine in Congress. Here was a monarch set on a throne in the Republic that is our nearest neighbor. Congress acted; the House passed a resolution, but it was not declaratory of the Monroe doctrine. It was, that—

The Congress of the United States is unwilling by silence to leave the nations of the world under the impression that they are indifferent spectators of the deplorable events now transpiring in the Republic of Mexico, and that they therefore think fit to declare that it does not accord with the policy of the United States to acknowledge any monarchical government erected on the ruins of any republican government in America under the auspices of any European power.

The next attempt to declare this doctrine by Congressional action was in 1879, when the De Lesseps Canal Company was about to begin work at Panama.

Mr. Burnside, in the Senate, offered a resolution which, as it was on the same subject as the pending resolution, we will quote. After a preamble quoting from Mr. Monroe's message, it reads:

Resolved, That the people of these States would not view, without serious inquietude, any attempt by the powers of Europe to establish under their protection and domination a ship-canal across the Isthmus of Darien; and such action on the part of any European power could not be regarded in any other light than as the manifestation of an unfriendly disposition towards the United States.

That went to the Committee on Foreign Relations and sleeps with its predecessors.

The last attempt was in 1880. Mr. Crapo, of Massachusetts, introduced a resolution in the House which was prophetic of the state of facts aimed at by the pending resolution. It reads:

Resolved, That the construction of an interoceanic canal connecting the waters of the Atlantic and Pacific Oceans by means of foreign capital, under the auspices or through a charter from any European government, is hostile to the established policy of the United States, is in violation of the Monroe doctrine, and can not be sanctioned or assented to by this Government, etc.

It was not acted on by the House, though reported favorably by the Committee on Foreign Affairs. This closes the history of Congressional action, by resolution or otherwise, on the Monroe doctrine which, we are told, has been adopted by the United States and has been approved in divers ways by Congress. The nearest to approval by Congress was the favorable report, by a committee, of Mr. Crapo's resolution, and yet, in the opinion we entertain, Mr. Crapo's resolution does not rest on the Monroe doctrine at all. If the resolution in 1864 had affirmed what Mr. Monroe announced, it would have been as completely within the facts that called forth the doctrine as it is possible for a case to be; because, the attempt to put Maximilian over Mexico was an attempt by a European power to establish a monarchy on the North American continent and was dangerous to our Government.

We will now state what, in our opinion, the Monroe doctrine was and is, and then present our reasons for opposing the Senate resolutions.

There has never been a subject in American politics about which opinions of late years have been so variant and vague as about the Monroe doctrine. The further we move on from the date of its enunciation the more misty, indistinct, and shapeless it appears. If we will turn back and stand among the statesmen of 1823, and hear them speak, there can be no difficulty in understanding what they intended. If we will read attentively Mr. Monroe's message, bearing in mind the political events in Europe from the fall of Napoleon to the date of the message, we can not fail to comprehend its aim and scope. What was the danger he and his compatriots saw? What was the sacred boon, dearer than life, they wished to protect and preserve? The danger was the aggressive spirit of European despotism, and the boon was our freedom, our republican government, our Constitution, and all the blessings flowing from and guaranteed by them.

In brief, the end aimed at was political, governmental, and not commercial. They were considering the rights of man—his freedom from civil and religious bondage—not the avenues of wealth. They thought not of "the merchants who go down to sea in ships and do business in great waters," nor even the nations that conduct commerce in fair

ways. They thought only of the approach of despotism that would subjugate and destroy. Said Mr. Jefferson :

The question is the most momentous which has ever been offered to my contemplation since that of independence. * * * America, North and South, has a set of interests distinct from those of Europe, and peculiarly her own. She should, therefore, have a system of her own, separate and apart from that of Europe.

What kind of "interests?" What kind of "system?" Financial? A system to prevent a friendly power, and that power a republic, from having any commercial connection with the western hemisphere? Let Mr. Jefferson explain what he meant:

While the last (Europe) is laboring to become the domicile of despotism, our endeavor should surely be to make our hemisphere that of freedom.

Mr. Madison, whose opinion Mr. Monroe wrote for, said that the position of the United States as well as their relations to the infant republics "calls for our efforts to defeat the meditated crusade" of the Holy Alliance. Then Mr. Monroe said in his message—

That the American continents, by the free and independent conditions which they have assumed and maintained, are henceforth not to be considered as subjects for future colonization by any European powers.

Again :

We owe it, therefore, to candor and to the amicable relations existing between the United States and those powers to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety.

Again :

We could not view any interposition for the purpose of oppressing them (the American republics), or controlling in any other manner their destiny, by any European power, in any other light than as the manifestation of an unfriendly disposition towards the United States.

Mr. Adams, in a special message, March 15, 1826, on the proposed Panama congress, after referring to the message of Monroe of December 2, 1823, said :

The purpose of this Government is to concur in none (*i. e.*, measures that might be suggested in the Panama congress) which would import hostility to Europe, or justly excite resentment in any of her states. Should it be deemed advisable to contract any conventional engagement on this topic, our views would extend no further than to a mutual pledge of the parties to the compact, to maintain the principle in application to its own territory, and to permit no colonial lodgments or establishment of European jurisdiction upon its soil.

In 1826 the doctrine came under review by the House in the debate on the Panama mission. That was one of the most memorable debates in the history of this Union. It began on the 25th of March and ran, with slight interruptions, to the 24th of April. Some of the participants were Badger, North Carolina; Buchanan, Pennsylvania; Everett, Massachusetts; Letcher, Kentucky; McLane, Delaware; Thompson, Ohio; Webster, Forsyth, Houston, Ingham, McDuffie, Polk, and Wickliffe. These names alone attest the ability and thoroughness of the discussion, as well as the calm judgment and patriotic feeling.

A bill was reported for an appropriation to send two ministers to the congress of the South and Central American States to be held at Panama. Mr. Wickliffe thereupon offered a resolution of inquiry as to whether any pledge had been made by our minister to Mexico, Mr. Poinsett, or by our Secretary of State, to any Central or South American States that the United States, in the event of an attempt by any European power to invade or to conquer any Central or South Ameri-

can republic, to take the most efficient and active part in its defense. On these two propositions the debate began.

Mr. McLane offered an amendment * * * that the ministers who may be sent shall attend the said congress in a diplomatic character merely, and ought not to be authorized to discuss, consider, or consult upon any proposition of alliance offensive or defensive between this country and any of the Spanish-American Governments, or any stipulation, compact, or declaration binding the United States in any way or to any extent, to resist interference from abroad with the domestic concerns of the aforesaid governments, etc.

Mr. Webster, after reciting the events in Europe that gave rise to the Monroe doctrine, said of it:

At this juncture the President's declaration was made. It was wrapped up—he would not say in mysticism—but certainly in phrases sufficiently cautious. The amount of it was that this Government could not look with indifference on any combination among other powers to assist Spain in her war against the South American States; that we could not but consider any such combination as dangerous or unfriendly to us; and that, if it should be formed, it would be for the competent authorities of this Government to decide, when the case arose, what course our duty and interest should require us to pursue.

Mr. Mallory used about the same language.

Mr. Buchanan said:

It is not my wish to be understood that this Government ought not under any circumstances to defend the independence of the southern republics. The principle for which I contend is, that we should not be bound to do so by treaty, but be left free to act with proper regard to our own situation when the crisis shall arrive.

Mr. Verplanck said:

While the message (Mr. Monroe's) was right and just, still its terms were very vague and indefinite—perhaps purposely so, that it might not commit the country.

The resolution of Mr. McLane was negatived. So were all substitutes and amendments. Thus the House refused to express its opinion on the Monroe doctrine by resolution.

Later on, on the 14th of April, Mr. Webster delivered *the* speech of the debate, in which he said, speaking of the Monroe doctrine:

The general rule of national law is, unquestionably, against interference in the transactions of other States. There are, however, acknowledged exceptions growing out of circumstances and founded on those circumstances. These exceptions, it has been properly said, can not without danger be reduced to previous rule, and incorporated into the ordinary diplomacy of nations. Nevertheless they do exist, and must be judged of when they arise, with a just regard to our essential interests, but in a spirit of strict justice and delicacy also towards foreign states.

The ground of these exceptions is, as I have already stated, self-preservation. It is not a slight injury to our interests, it is not even an inconvenience, that makes out a case, there must be danger to our security, or danger—manifest and imminent danger—to our essential rights and our essential interests.

He then cites the case of Cuba, as one within his views and within the Monroe doctrine.

Mr. Polk, who took part in the debate on the Panama mission in the House in 1826, and who was a member until 1839, re-affirmed the Monroe doctrine, in 1845, in his first annual message. To show what his construction of that doctrine was, we quote a few sentences from a long paragraph:

It is well known to the American people and all nations that this Government has never interfered with the relations subsisting between other governments. We have not sought their territories by conquest. We claim on this continent a like exemption from European interference. * * * Jealousy among the different sovereigns of Europe lest any one of them might become too powerful for the rest, has caused them anxiety to desire the establishment of what they term the "balance of power." It

can not be permitted to have any application on the North American continent, and especially to the United States. We must ever maintain the principle that the people of this continent alone have a right to decide their own destiny.

Then, after quoting from Mr. Monroe's message, he continues :

This principle will apply with greatly increased force should any European power attempt to establish any new colony in North America. * * * It is due alike to our safety and interests that it should be distinctly announced to the world as our settled policy that no future European colony or dominion shall, with our consent, be planted or established on any part of the North American continent.

It will be observed that President Polk drew in the line so as to bound the North American continent alone. In the remarks just quoted he applies the doctrine in terms three times to this continent. Again, Mr. Webster, in the speech already cited, drew a broad distinction as to our rights, interests, and duty between the two continents. He said :

It is doubtless true that this declaration must be considered as founded on our rights, and to spring mainly from a regard to their preservation. It did not commit us, at all events, to take up arms on any indication of hostile feeling by the powers of Europe towards South America. If an armament had been furnished by the allies to act against provinces the most remote from us, as Chili or Buenos Ayres, the distance of the scene of action diminishing our apprehension of danger, and diminishing also our means of effectual interposition, might still have left us to content ourselves with remonstrance. But a very different case would have arisen if an army equipped and maintained by those powers had been landed on the shore of the Gulf of Mexico and commenced the war in our own immediate neighborhood. Such an event might justly be regarded as dangerous to ourselves, and, on that ground, call for decided and immediate interference by us. The sentiments and the policy announced by the declaration [of Mr. Monroe] thus understood were, therefore, in strict conformity to our duties and our interests.

The notable feature of the debate on the Yucatan bill was the speech of Mr. Calhoun, because, he maintained (1) that the doctrine was directed at the then existing danger of an establishment of the European monarchical system in America by the allied powers ; (2) that the interference in American affairs meant interference to do harm, to oppress, to change the government against the will of the people ; and that, should this Government decline to aid the whites in Yucatan, and England, to which the same appeal was made, should interpose as a friendly power, there would be no violation of our rights, and the doctrine could not apply. He held further, that each case must be decided by us on its distinctive presentation, and he cited Cuba as a case, and said we could not permit any Government, European or American, to acquire or to colonize it.

Thus have we given the history of the Monroe doctrine without fear that the narrative may grow tedious, because we believe that no lover of our country will become weary at any research that can guide him in forming a just and sound conclusion on a subject "the most momentous since Independence." This doctrine may be likened to a comet, whose head or nucleus rests in the cycle of time marked by the year 1823, and whose tail stretches to the present and the future. The nucleus appeared bright, clear, and distinct to those who stood in its immediate presence, while to us, looking through the interposed mist and vapor, it seems vague and nebulous. It is only by going back and standing with those patriots, who were "wise in their day and generation," that we can get a clear, unobstructed view of this doctrine. Even to their view it was not without adumbration. They differed in opinion as to its size, but not as to its substance. Some maintained that it covered the whole hemisphere, others that it only covered the North Amer-

ican continent, while all agreed in the patriotic sentiment that it applied to the United States, the West Indies, and Mexico.

And here we beg to call especial attention to the most important fact, that from the message of Mr. Monroe to the message of Mr. Polk, including the speeches and writings and resolutions introduced in Congress, to and including the resolution relating to the condition of Mexico in 1864, the danger to be guarded against, the rights and interests to be protected, with singular unanimity were treated as purely political and governmental. The object of the declaration was to protect and to preserve our own Government and liberties, and not those of any other Government on this hemisphere. The policy of this Government, proclaimed from its foundation and repeated a hundred times, has been not to interfere with any other Government on either hemisphere. And the only apparent exception to that policy is in the Monroe doctrine. But even that is not an exception. It was in the direct line of our rule. The doctrine was not intended primarily to uphold any other government on this hemisphere, or even on this continent. The purpose in protecting those republics was to prevent danger to ourselves. It was to protect them from subjugation and colonization by any monarchy, because we would and could thereby protect our own Government.

This exposition of the Monroe doctrine is clearly shown to be the true one by all the contemporaneous writings, and the subsequent speeches and messages, from the debate on the Panama mission to the message of Mr. Polk. Mr. Webster's speech demonstrates the correctness of our view by the distinction drawn between Chili or Buenos Ayres and Cuba. As to the first two he says, we would probably do nothing but remonstrate; but as to the second (Cuba), we would, if need be, go to war. Why? Because, a monarchy in Chili would be too remote to imperil our safety, whereas, a monarchy in Cuba or Mexico, "our immediate neighbor," would undoubtedly endanger our fundamental rights and liberty. The defense of those republics was intended as a means and not as an end. It was to meet monarchy on the shore, and not to wait until it had subjugated the territories around or near us and grown strong enough to attack the United States.

During the debate in 1826 on the Wickliffe resolution, quoted above, a protest, loud and angry, was made by all against the United States being pledged by the President, or Secretary of State, or our minister, Mr. Poinsett, to defend any Southern or Central American republic. Mr. Webster said :

"Sufficient unto the day is the evil thereof."

Mr. Powell said :

I shall be unfeignedly sorry if the President of the United States has ventured on such a high-handed measure as seems to be imputed to him.

He alluded to the alleged "pledge" to defend the South or Central American republics.

Mr. Mallory said :

If all the European governments should combine and commence a crusade against republican governments as such, and should commence their operations by an invasion of the South American States in our own immediate vicinity, a serious question might present itself—how far we ought, in self-defense, to take the ground intimated by President Monroe and maintain it by force of arms.

Mr. Johnson, of Kentucky, said :

A war to recolonize the South American republics would tend to endanger our own institutions and, therefore we could not be idle spectators of the conflict. The declaration (Monroe doctrine) meant, if the allied powers should make successful war on the South American republics, that the next effort would be against this country, to

extinguish here the last trace of republican institutions. It was a declaration that we would not wait until they had approached our firesides; that we would meet the danger at the threshold. It was founded upon a sense of our duty for the preservation of our liberties. It was not made to the Southern republics; it was no pledge to any one; it was a declaration founded upon considerations of our own institutions; it was made with a view to our own safety.

This construction of the Monroe doctrine makes it perfectly consistent with our national policy, unbroken for a hundred years, of avoiding "entangling alliances," of non-interference with the affairs of other nations, of attending exclusively to our own business, and leaving all other governments to work out their own destinies. The policy is founded in wisdom, justice, and safety. If adhered to it will make our cause of quarrel always just, and make us "thrice armed" and invincible. The European powers well understand that we are not aggressive; that we did not and do not intend under the Monroe doctrine to interfere with them, but that we meant and mean to protect ourselves. In truth, they knew in 1823 and know now that the Monroe doctrine was and is their doctrine of the "balance of power," applied to republics on this hemisphere as they apply it to monarchies in Europe. They maintain the balance of power for individual protection and to preserve the integrity of their several governments and territories, and we maintain the Monroe doctrine for self-preservation.

Thus it is seen that the policy of non-interference is subordinate to that other and higher principle of self-preservation. Our destiny is not to dethrone monarchs nor to establish or support republics. True, we attack monarchies, not, however, with the cannon of the field, but with the immutable canons of human rights. We are ever on the offensive, by precept and example, speaking peace and good-will to all men and all nations, but never on the offensive with arms, unless in our calm, deliberate judgment, as expressed by Mr. Webster, "there is danger, manifest and imminent danger to our essential rights and our essential interests." Then, and only then, the law of self-preservation overrides the policy of non-interference. And this, in our opinion, is "the be all and the end all" of the Monroe doctrine. It is non-interference evrywhere, except on the Western hemisphere, and there only when self preservation or our essential political rights are in danger.

With this exposition of our view of that doctrine, we proceed to give our reasons for opposing the pending resolutions. We oppose them on the grounds of form and of substance. As we have already discussed their form, we have but little more to say in support of that ground of objection. The form is bad. It is useless. It is an unnecessary outlay of Congressional force. What the first resolution professes to do is, to declare the views and position of the Government as to the Panama Canal. That can be done as effectually by a concurrent resolution as by a joint resolution. A joint resolution makes law. It is another form of a statute. The object to be effected does not require a law. This is not a proper subject for legislation, for a municipal law. If a law be appropriate, then why not declare the Monroe doctrine by statute? And yet what could be more absurd than "*Be it enacted by the Senate and House of Representatives in Congress assembled*, That the United States would look with serious concern and disapproval and would regard as a menace," etc., if any European power should possibly attempt to do what is set forth in this first resolution.

The other ground of objection, that this resolution seeks to tie by law the hands of the President and Senate as the treaty-making power, we will not enlarge upon, as we think our views are distinctly stated above. We regard this objection alone as fatal to the resolution.

OBJECTIONS TO THE SUBSTANCE OF THE RESOLUTION.

Our grounds of objection to the substance of the resolution are—

First. That it would be a false declaration and a wrong application of the Monroe doctrine. It would not declare the Monroe doctrine, but a new doctrine, one going a long bound beyond that of Mr. Monroe. If the advocates of the resolution can show that a state of facts now confronts us similar to those existing in 1823, that any European monarchy is threatening or about to invade this continent and to do acts that might endanger our political institutions, then we would admit that the resolution is timely and right.

But do such facts exist? Does any monarchy or other European power intend to colonize any part of North or South America? Has any one the slightest reason for suspicion that any such power intends or even desires to establish a monarchy on the ruins of any Republic on this hemisphere? If so, let Congress and the country know it. If not, why, in this "piping time of peace," project this resolution at Europe and the world? As, in full view of the greatest danger to our existence that has ever threatened us from abroad, the Congress in 1824 declined to act on Mr. Clay's resolution, why should we now, with no danger, present or prospective, to our political or even our commercial interests, pass this resolution?

Second. We oppose this resolution because it is aimed at a sister Republic. The Monroe doctrine, neither in letter nor spirit, had or has any application to a form of government like our own. In 1823 France was a monarchy. Every first, second, or third rate power in Europe was a monarchy or an Empire. The King of France was in league with the allied powers. She took part in the congresses at Aix-la-Chapelle, Laybach, and Verona. She was to take part in the proposed congress of the five allied powers to plan a movement against the Spanish American colonies—then Republics.

But the France of 1823 was not the France of 1889. Thrice between 1789 and 1889 has she fallen and thrice has she risen from the earth, like Antæus, with renewed strength in her struggle for human rights. Environed on land by a cordon of kingdoms, and her shore open to ravages by superior fleets, infested with imperialists and traitors, she has fought for eighty years, with varying reverses and success, sometimes unwisely but always well, the battle of freedom, and for representative republican government. It is true, her system is not so nearly perfect as our own; but, considering her environment, her mercurial temperament, and her Latin origin, what people on the earth would have persisted as she has and have accomplished more?

Let us not forget that, inspired by our example and success, it was republican France that rose in her might, unawed by kings and emperors in league to maintain the balance of monarchical power, and, defying them all, razed the Bastille and proclaimed the right of man to be free. Let us not forget that it was the spirit of republican France that gave to us the Marquis de la Fayette in the hour of our travail. Let us not forget that it is republican France, more firmly established and more emulous of us than ever before, against which this resolution is directly aimed. Let us remember, in the moment we hurl this defiance at our only sister republic in Europe, that in the bay of our metropolis stands her magnificent gift, holding aloft the torch of Liberty, to give light to all the oppressed of the earth—the emblem of her devotion to freedom and the proof of her love for us. John Quincy Adams re-

membered republican France when, in his third annual message, he said:

The origin of the political relations between the United States and France is coeval with the first years of our independence. The memory of it is interwoven with that of our arduous struggle for national existence. Weakened as it has occasionally been since that time, it can by us never be forgotten.

That the resolution is intended for France, no one can deny. As it was introduced before the Samoan trouble, it could not have been aimed at Germany; and there is not the remotest ground for directing this proclamation to any other power in Europe. No power in Europe has the slightest connection with the Panama Canal, and the only European connection is nothing more than a pecuniary interest of some citizens of France in the canal; the same connection and no more than the United States Government will have in the Nicaragua Canal, after a few of our citizens shall have spent their money on it. In short, France has no connection whatever with the canal, and because a few of her citizens have an interest of dollars and cents, we are asked to pass a law reiterating what is supposed to be the Monroe doctrine.

But it is urged that Boulanger was recently elected a deputy on the ground that he would advocate a measure that France, as a government, shall pay for the completion of the Panama Canal. Who knows this to be true? We are told on as good authority that Imperialists, Bonapartists, and bourgeois (strange bed-fellows) combined and elected Boulanger. If so, that looks more towards imperialism than Panama.

But admit that Boulanger can induce the Government of France to complete the canal, what then? Would that be colonization, or an invasion to overthrow republican Colombia and establish a monarchy? Would it be such a manifest and imminent danger to our political institutions as to justify this Government in taking up arms to prevent France from completing the canal? If not, the Monroe doctrine would not apply, and hence we would not be justified in interference. If not justified, why enact this law?

But, it is said, if France should complete the canal she might claim entire control of it. "Sufficient unto the day is the evil thereof." Suppose, however, this most improbable assumption to be true, would the claim be a violation of the Monroe doctrine? Would even the absolute control of the Panama Canal endanger the existence or the essential political rights of our Government? If not, such control would not justify us in taking up arms to prevent it. The essential rights of republican government are not commercial, not of trade. Mr. Monroe was not looking at—not thinking of—commercial advantages. He was considering the safety of our Republic. The control of the Panama Canal by France would not imperil our liberties or our Government. A republican government established in and controlling New Granada or Colombia could not be cause for us to go to war for "self-preservation," and yet that is the only ground on which the Monroe doctrine stands.

This question of making a canal across the isthmus and its control is one purely commercial. The Monroe doctrine does not touch it. It is a matter for treaty, if nations deal with it at all. To this view our Government committed itself by the Clayton-Bulwer treaty. This Government has no such essential rights in Central America that it can forbid France to aid in constructing a canal. We have an interest in the canal acquired by treaty with Colombia in 1846. We are bound to guaranty neutrality and to suppress turbulence in New Granada. France knows the extent of our rights and our duty under the treaty, and it is an unfriendly assumption by us that France would attempt

to control the canal. Were she to complete it, it would be no more than sheer justice that she should be re-imbursed, but beyond that she could not claim any right that the United States would not have under their treaty with New Granada.

Third. But we oppose this resolution because it would commit the United States to a position impolitic and wholly untenable. There is no rule of international law on which we could maintain it, and on the Monroe doctrine the argument is entirely against us. To justify the passage of this resolution and subsequent action in pursuance of it, consider for a moment what a series of bare possibilities must first become realities, to wit:

(1) That Boulanger will urge the French Republic to complete the canal.

(2) That the French Republic will be controlled by Boulanger's will.

(3) That it is practicable in engineering to construct the canal.

(4) That the French Republic after completing the canal will become a monarchy or an empire;

(5) That the French monarchy or empire will try to establish a colony in the Republic of Colombia, or will attempt to conquer that Republic and erect a monarchy on its ruins; and

(6) That such colony or monarchy will endanger our essential political rights or government. All these possibilities must become facts before the United States could apply the Monroe doctrine.

But let us suppose that republican France will continue to be a Republic, and should complete the canal, would that imperil or even be "a menace" to the United States? "Words are things," and "menace" is a strong word. It is a threat by sign or movement that expresses intention or desire to inflict bodily injury, and we should be slow to accuse our sister Republic of such an intent only because she might, possibly, endeavor to save to her citizens near \$300,000,000 which they have invested in the Panama Canal. We should not assume in advance that France would disregard our rights under the treaty with New Granada, that gives to us, as free use as any other nation can have, of any waterway across the isthmus.

We should not assume that a sister republic, whose devotion to us and to our system of government has been tested and attested beyond doubt, intends harm to us. We should not assume that a republic with only two-thirds of our population, with a powerful enemy in her rear ready and eager to engage her in war; with 5,000 miles of ocean between her and Panama, will come almost to our door to pick a quarrel with us by disregarding our treaty rights? If, when we were only 10,000,000 in population, the bare announcement of the Monroe doctrine deterred the five allied powers, fresh from the fields of victory from attempting to conquer any part of South America, it is suggestive of being flighty, for us to imagine that one European power—and a republic at that—is meditating a descent on our shores, among a nest of powerful republics, to defy them and their treaties with the purpose of taking control of the canal.

But, suppose this resolution passed and communicated by the President to France, and diplomatic correspondence ensues (which will as certainly ensue as it ought to *precede* this resolution, if France has any thought of giving aid to the canal), let us see in what attitude, after argument, the United States (or Congress) will stand before the world.

France can and no doubt will disavow any intention to establish a colony or a monarchy or to disturb the autonomy of any government in Central or South America. She will declare that her only purpose is

to save her 40,000 citizens from loss, many from bankruptcy, by their investment in the De Lesseps Canal; that she has no thought of impairing the treaty rights of the United States; that she does not intend to attempt to take control of the canal; and that she is willing to enter into stipulations to the United States, to any extent they may require, for due regard of their commercial interests in the canal.

But France need not and might not stop there. She could propose that the United States should make a treaty with her to guaranty neutrality, and for protection of a joint commercial interest in the water-way, leaving the United States to exercise political control. If the United States should object on the ground that, to enter into such a treaty would be an abandonment of the Monroe doctrine, France could make a twofold and complete reply, first, that the Monroe doctrine only applies to European colonization or governmental dominion on the European or monarchial system, and that it does not apply to any control to secure and protect commercial rights and interests, as was most solemnly admitted by the United States by making the Clayton-Bulwer treaty, wherein they conceded to Great Britain—a monarchy—equal right of control with the United States over any ship-canal in Nicaragua or New Grenada.

France would further embarrass us by pointing to some facts that to the minds of the minority of the committee are not a demonstration of the undiluted patriotism of the pending resolution. The facts are, that the United States knew in 1879 that De Lesseps would begin work on the isthmian canal, for they sent two representatives to the Interoceanic Canal Congress, held in Paris in May, 1879, and that our Government has known that that work has been progressing for years. And when the De Lesseps company becomes financially embarrassed, and the canal will probably fail unless France should give aid, Congress gives sudden birth to twin measures—one to incorporate the Nicaragua Canal Company as a rival of the De Lesseps company, and the other, a law threatening France on a bare suspicion that she may attempt to save the rival of the American company from utter ruin. And we could not deny that there is a very unique juxtaposition and marvelous coincidence in these two measures—enough so, at least, to suggest to the impartial mind that possibly there is more thrift than patriotism in this resolution.

France could quote some inconvenient utterances of our Executives since the De Lesseps company was organized. President Garfield said:

We shall urge no narrow policy, nor seek peculiar or exclusive privileges in any commercial route; but, in the language of my predecessor, I believe it to be the right and duty of the United States to assert and maintain such supervision and authority over any interoceanic canal across the isthmus that connects North and South America as will protect our national interests.

Secretary Blaine wrote to Minister Lowell that the United States do not propose to interfere with any canal as a commercial enterprise, and that all we ask is the political control.

But we have said enough—we believe not too much—and we offer no apology except the opinion we entertain of the gravity and far-reaching effect of this resolution.

And when we reflect that the Monroe doctrine is a method or means of defense, and not of aggression; that it is to maintain the Republic and all the principles of government on which it stands; that it is not to acquire commercial advantages, but to uphold essential political rights already secured; that it means we will not permit encroachments or lodgments on this continent dangerous to our existence; that by it we forbid monarchical colonization or the establishment of the European

system of Government on this continent; that the European system in 1823 was monarchical, despotic, tyrannical, absolute, it is easy to see that when we assert our right to prevent any European power from establishing a connection purely commercial, we abandon the high ground on which the Monroe doctrine stands, and deny to all European powers the right to acquire interests which are acquired, gauged, and regulated by treaty. That is a position we do not wish our Government to assume, because we believe it is untenable and full of evil. It is indefensible by international law. It is indefensible by the Monroe doctrine. It confounds rights acquired by treaty only, with rights inherent, fundamental, and inalienable—the rights that the Declaration of Independence proclaims and our Republic was founded to maintain, and which alone the Monroe doctrine was intended to defend, preserve, and perpetuate.

T. M. NORWOOD.
CHAS. E. HOOKER.
JOHN E. RUSSELL.
ISIDOR RAYNER.
J. S. COTHRAN.

O. P. PHILLIPS.

MARCH 2, 1889.—Committed to the Committee of the Whole House and ordered to be printed.

Mr. STOCKDALE, from the Committee on War Claims, submitted the following

REPORT:

[To accompany bill H. R. 3789.]

The Committee on War Claims, to whom was referred the bill (H. R. 3789) for the relief of O. P. Phillips, report as follows:

The proof filed in support of the bill shows that O. P. Phillips, late captain of Company C, First Regiment of Missouri State Militia Cavalry, expended the sum of \$1,601.75 in furnishing food for his men and forage for his horses before his company was mustered into the service of the United States.

The records of the War Department show that O. P. Phillips was mustered into the military service of the United States as captain with Company C, First Regiment Missouri State Militia Cavalry, February 17, 1862.

The bill requires the claimant to prove to the satisfaction of the accounting officers of the Treasury Department that said rations and forage were furnished as charged, and that they were necessary to the support of said men and horses.

Your committee are of opinion that the claimant should have an opportunity to prove his claim, and report back the bill and recommend its passage.